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COMMONWEALTH OF VIRGINIA

STATE CORPORATION COMMISSION

AT RICHMOND, JUNE 11, 2002

APPLICATION OF

WAHOO BROADBAND, LLC

CASE NO. PUC-2002-00037

For a certificate of public
convenience and necessity
to provide local exchange
telecommunications services

ORDER FOR NOTICE AND COMMENT

On May 20, 2002, Wahoo Broadband, LLC ("Wahoo" or "Applicant"), completed an application for a certificate of public convenience and necessity ("certificate") with the State Corporation Commission ("Commission") to provide local exchange telecommunications services in the City of Charlottesville and the County of Albemarle in the Commonwealth of Virginia.

NOW UPON CONSIDERATION of the application, the Commission is of the opinion and finds that Wahoo's application should be docketed; that the Applicant should give notice to the public of its application; that interested parties should have an opportunity to comment and request a hearing on Wahoo's application; and that the Commission Staff should conduct an

Effective April 9, 2002, the new Case Management System requires that the case number format for all Commission orders change from, e.g., PUE010663 to the following: PUE-2001-00663.

investigation into the reasonableness of the application and present its findings in a Staff Report.

Accordingly, IT IS ORDERED THAT:

(1) This case is docketed and assigned Case No. PUC-2002-00037.

(2) On or before July 3, 2002, the Applicant shall complete publication of the following notice to be published on one (1) occasion as classified advertising in newspapers having general circulation throughout the Applicant's proposed service territory:

NOTICE TO THE PUBLIC OF AN APPLICATION
BY WAHOO BROADBAND, LLC, FOR A CERTIFICATE
OF PUBLIC CONVENIENCE AND NECESSITY
TO PROVIDE LOCAL EXCHANGE
TELECOMMUNICATIONS SERVICES IN THE CITY OF
CHARLOTTESVILLE AND THE COUNTY OF ALBEMARLE
CASE NO. PUC-2002-00037

On May 20, 2002, Wahoo Broadband, LLC ("Wahoo" or "Applicant"), filed an application with the State Corporation Commission ("Commission") for a certificate of public convenience and necessity ("certificate") to provide local exchange telecommunications services in the City of Charlottesville and the County of Albemarle in the Commonwealth of Virginia.

Copies of the application are available for public inspection between the hours of 8:15 a.m. and 5:00 p.m., Monday through Friday, in the Commission's Document Control Center located on the first floor of the Tyler Building, 1300 East Main Street, Richmond, Virginia, or can be ordered from Wahoo's counsel, Daniel J. Smith, Esquire, Woods, Rogers & Hazlegrove, P.L.C., 250 West

Main Street, Suite 300, Charlottesville,
Virginia 22902.

Any person desiring to comment on Wahoo's application for a certificate to provide local exchange telecommunications services may do so by directing such comments in writing on or before July 26, 2002, to the Clerk of the Commission at the address listed below and shall serve a copy of the same on or before July 26, 2002, upon Wahoo's counsel at the address set forth above.

Any person may request a hearing on Wahoo's application by filing an original and fifteen (15) copies of its request for hearing on or before July 26, 2002, with the Clerk of the Commission at the address set out below. Requests for hearing must state with specificity why a hearing should be conducted. Persons filing a request for hearing shall serve a copy of their request on or before July 26, 2002, upon Wahoo's counsel at the address set forth above.

All written communications to the Commission concerning Wahoo's application should be directed to Joel H. Peck, Clerk of the State Corporation Commission, c/o Document Control Center, P.O. Box 2118, Richmond, Virginia 23218, and should refer to Case No. PUC-2002-00037.

WAHOO BROADBAND, LLC

(3) On or before July 3, 2002, Applicant shall provide a copy of the notice contained in ordering paragraph two (2) to each local exchange telephone carrier certificated in Virginia and each interexchange carrier certificated in Virginia by personal delivery or first-class mail, postage prepaid, to the customary place of business. Lists of all current local

exchange and interexchange carriers in Virginia are attached to this Order as Appendices A and B, respectively.

(4) Any person desiring to comment in writing on Wahoo's application for a certificate to provide local exchange telecommunications services may do so by directing such comments on or before July 26, 2002, to the Clerk of the Commission at the address set forth below. On or before July 26, 2002, a copy of such comments shall be served on Wahoo's counsel, Daniel J. Smith, Esquire, Woods, Rogers & Hazlegrove, P.L.C., 250 West Main Street, Suite 300, Charlottesville, Virginia 22902. Comments must refer to Case No. PUC-2002-00037.

(5) On or before July 26, 2002, any person wishing to request a hearing on Wahoo's application for a certificate to provide local exchange telecommunications services shall file an original and fifteen (15) copies of its request for hearing in writing with Joel H. Peck, Clerk of the State Corporation Commission, c/o Document Control Center, P.O. Box 2118, Richmond, Virginia 23218. Written requests for hearing shall refer to Case No. PUC-2002-00037 and shall state the following:

- (i) a precise statement of the interest of the filing party;
- (ii) a statement of the specific action sought to the extent then known;
- (iii) a statement of the legal basis for such action;
- and (iv) a precise statement why a hearing should be

conducted in the matter. Copies shall also be served on the Applicant at the address set forth above.

(6) On or before August 1, 2002, the Applicant shall file with the Commission proof of notice and proof of service as ordered herein.

(7) The Commission Staff shall analyze the reasonableness of Wahoo's application and present its findings in a Staff Report to be filed on or before August 8, 2002.

(8) On or before August 14, 2002, the Applicant shall file with the Clerk of the Commission an original and fifteen (15) copies of response to the Staff Report or parties' objections and requests for hearing. A copy of the response shall be delivered to Staff and the other parties by overnight delivery.

(9) The Applicant shall respond to written interrogatories or data requests within seven (7) days after the receipt of the same. Parties shall provide to the Applicant, other additional parties, and Staff any workpapers or documents used in preparation of their requests for hearing, promptly upon request. Except as so modified, discovery shall be in accordance with Part IV of the Rules.

(10) The Applicant shall respond promptly to requests from interested parties for copies of the Application and shall provide one copy of same free of charge to the requesting party.

(11) This matter is continued generally.